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HONOLULU, TERRITORY OF HAWAII, FRIDAY, MARCH 29, 1901.

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## VERY WARM REPORT IN SENATE TO-DAY

Majority of Judiciary  
Committee Scores  
Dole and Frear.

ON MOTION OF C. BROWN  
REPORT LAID ON TABLE

Carter Presents a Minority Report—  
Russell Retires from Chair Until  
Monday—Kaine Takes His  
Place.

When the Senate met this forenoon, President Russell said that, at the request of the majority, he had consented to take the chair for a day. Now that the day had passed by, he would call the Vice President to the chair. Mr. Kaine then changed places with Mr. Russell. Mr. C. Brown asked Mr. Russell if he had not retired from the chair pending his motion to accept the resignation of the chair which was deferred to Monday. The answer was in the affirmative.

The following communication from the Secretary was received, read and placed on file for consideration on Monday:

Honolulu, H. L., Mar. 26, 1901.  
Sir:—Section 69 of an Act to provide a government for the Territory of Hawaii, approved the 30th day of April, A. D. 1899, provides, among other duties of the Secretary of the Territory, that "he shall within thirty days after the end of each session of the Legislature transmit to the President, the President of the Senate and the Speaker of the House of Representatives of the United States one copy each of the laws and journals of such session."

In order that I may comply with this section of the law, I respectfully request that the journal of the Senate from the beginning of the present session to the present date, duly certified by the President and the secretary, be transmitted to me as soon as possible and that thereafter the journal of each day's session, duly certified, be filed in my office as soon as the official copy can be prepared; and also that sufficient money be placed at my disposal for making the necessary copies of the same.

(Signed.) HENRY E. COOPER,  
Secretary of the Territory.

To Hon. Nicholas Russell,  
President of the Senate.  
Two communications from the House submitting House bills 15 and 40, the latter relating to the employment of minors in saloons, were read and, upon motion, passed their first reading. Another communication was to the effect that Senate bill 28, relating to G. A. R. badges, had been passed in third reading in the House. The communication was referred to the Military Committee and Mr. Crabbe.

The majority of the Judiciary Committee reported as follows:

Report of the Judiciary Committee on the message of the Governor in regard to the revision of the laws of the Territory of Hawaii.

The majority of the Judiciary Committee to whom was referred the Governor's message in regard to the revision of the laws of the Territory of Hawaii by Judge Walter F. Frear beg leave to report that said message has had their attentive consideration.

The majority of the committee beg further to report that the "request" made by the Governor to Judge Frear

that he prepare a revision of the Hawaiian laws as "affected" by the Organic Act, was an unwarranted assumption of authority on the part of the Governor in the opinion of the majority which should not be in any wise ratified or confirmed by the Legislature; the majority also deem it not improper to say that they have been surprised to learn from the Governor's message that Judge Frear should have prepared the revision of the laws in question upon the mere request of the Governor without legislative sanction or authority. It is customary in all of the United States as well as in the Territories for the revision or compilation of laws to be effected by a special act of the Legislature authorizing such revision or compilation to be made by a commission appointed for that purpose by either the Legislature or the Governor. This is the first instance in which an individual has been entrusted with enough to undertake a revision of the laws without prior legislative authority so to do. The majority beg to call attention to the fact that the Governor states in the message under consideration that "upon the approval" of the Organic Act he requested Judge Frear to prepare a revision of the law, etc., and it is singular indeed that the Governor should have failed to direct the attention of the Legislature to so important a matter in his first and general message, and it is equally singular that the Chief Justice (Judge Frear) should have preserved entire silence upon the matter in his report to the Legislature.

The appointment of Judge Frear to act with others as a commission to codify, revise or compile the laws as the case might be, is not without precedent, but the majority seriously question the propriety of assigning judges to such duties. The majority are of the opinion that the Chief Justice and the other judges can best serve the community by attending strictly to their judicial duties. The majority strenuously recommend that the Senate do not concur in the Governor's recommendations.

WM. WHITE,  
S. E. KAIUE.

Majority Judiciary Committee.  
The minority reported as follows: The minority of the Judiciary Committee to whom was referred the Governor's message in regard to revision of the laws of the Territory of Hawaii, beg to report, that

Whereas, there is a great public necessity for immediate revision of the laws of the Territory of Hawaii, owing to the very many changes caused by the superceding Organic Act and that as it would be a physical impossibility to prepare such a revision within the sixty days' session of the Legislature; therefore the voluntary extra work of Chief Justice Frear, done without certainty of compensation is a public service, prompted by patriotism and loyalty.

The minority of your committee see no usurpation of legislative authority by the Governor for you are at liberty to purchase the work done and submit it to a commission for revision and report during the session or leave the work to an entirely new commission for report at the next session, thus defraying the final publication.

Therefore, the minority recommends that the committee should inquire what the cost of the revision now nearly complete and if less than it can be done for by others that the work of Judge Frear be purchased and revised under supervision of your committee, translated and printed, as no work of more importance or of greater benefit to the public can be done.

G. R. CARTER,  
Minority of Judiciary Committee.

A long discussion followed these reports. Several motions were made. The motion to adopt the minority report was lost. Mr. C. Brown moved that the majority report be laid on the table. Seconded by Mr. Carter and carried. Senators Russell and Kaine voting with the Republicans. At 12 m. the Senate took a recess until 1:30 o'clock.

Miss Killeen's Easter Opening.

The display of fine hats at the Easter opening of M. Killeen & Co. on Hotel street, is an attraction that keeps a crowd of men and women at the windows all the day. Miss Killeen made her selections of patterns and styles from personal inspection of large stocks at San Francisco and has spread before her patrons an array of the finest creations known to the milliners art.

She shows some startling effects in light chiffon trimmed, turban and Tam o' Shanter effects. A bow of black velvet upon downy chiffon makes an effective contrast. The bright flowers and glittering tinsel is used more extensively than ever in trimmings for fine hats this spring. Miss Killeen has selected the best.

Besides new things in millinery, Miss Killeen has some astonishing novelties. The belts and gloves and ties and other feminine bric a brac all come from the best designers.

THE WATERMAN IDEAL FOUNTAIN PEN. All sizes, all shapes. H. F. WICHMAN.

## NAILIMA PROPOSES NEW TAX MEASURE

Makes Provision for New  
County and Town  
Organization.

PRENDERGAST GIVES NOTICE  
OF SPECIAL TAX ON SUGAR

House Gets Through With Good Grist  
of Business—Robertson Proposes  
to Table Organic  
Act.

When the House convened this morning, the preliminary business was unusually short. Messages were received from the Senate announcing that Senate bills 39 and 16 had passed through the political channels for the third time in safety, and were now ready for the House.

Nailima introduced a bill which passed its first reading, entitled "An Act fixing a system of taxation for the Territory of Hawaii."

The act provided that the Territory should be divided into five taxation districts. The date of taxation to be November 1st; the assessment being taken on January 1st. One tax assessor for every county is to be elected every two years. Each tax assessor is to have deputies under him, who are to assist the assessor in all his work. The assessor was to have the right of inspecting any land, building, etc. The amount of assessment is to be settled by the Board of County Commissioners.

The general tax on county lots is to be 25 cents an acre. Leapers were to be exempt from taxes. City lots are to be taxed in proportion to their population. There is to be an inheritance tax of 10 per cent of whole estate when the heirs are in direct descent, and 25 per cent when the estate is left to strangers. Two and a half per cent tax is to be levied on stores, etc. Banks, etc., are to pay 2 per cent. Insurance companies are booked for 2 1/2 per cent. Electric light and gas companies are to be docked 4 per cent. Two per cent is to be collected on all rents, etc.

There is to be a Territorial and also a county board of tax control. The rest of the bill deals with the mode of procedure in making reports, etc.

Monsarratt gave notice that he intended to introduce a bill relating to the trespass of animals.

The House then passed to the unfinished business and as Senate bill 26 was on the spit at the close of yesterday's session, it was the first thing discussed.

Robertson stated that the bill was an instrument for the furthering of fraud, helping a man to escape his just debts. After considerable discussion, Robertson asked that the bill be referred to a committee, but his motion was lost, ayes 10, noes 14.

A vote to reconsider sections 2, 3, 4, and 5 of the bill was finally carried after several challenges.

The "referred to committee" ghost is not dead as yet, for it soon appeared on the horizon, when the reamending began. A motion to refer it to the

Judiciary Committee was knocked on the head after a hot fight.

A motion by Makekau to pass the bill on its second reading without any amendments, was passed.

Robertson now made a motion that the Legislature suspend the Organic Act and pass the bill on its third reading. The motion found hearty seconds.

House bill 38, relative to the compensation payable by property owners who should build on the proposed lines of street widening, came up for the third reading. The result was ayes 23, noes 2.

House bill 44, relating to the establishing of school libraries, came up for third reading. The bill finally passed, ayes 18, noes 8.

Senate bill 37, relative to the regulating of jurors' fees, was referred to the Judiciary Committee.

House bill 41, relating to the naming of streets, etc., in Honolulu, came up for second reading. The Public Land Committee advised that the bill pass. The report was adopted. The bill was then deferred until next Monday.

House bill 42, concerning the numbering of buildings, etc., in Honolulu, came up for second reading. The Public Land Committee advised that the bill pass in a slightly amended form. The report was finally adopted after a hard tussle. The bill was laid over until Monday.

Robertson introduced a memorial signed by all the leading business men in town, objecting to the passage of the exemption of personal property law. Referred to Judiciary Committee.

Prendergast said that he wanted to introduce a bill providing for a tax of \$10 on every ton of sugar raised in the Territory.

Emmelt gave notice of his intention to introduce a bill providing for the correct keeping and auditing of accounts.

The House then took a recess until 2 o'clock.

## WILL NOT PAY FOR ACT OF EMPLOYEES

Superintendent of Public Works McCandless has refused to help Captain Clapp of the Jakes Howes in the matter of the Fearless bill for getting the Howes out of the mud where the Eleu left her. As grounds for his refusal, the superintendent says that the department cannot be responsible for acts of its servants.

A well known shipping man said this morning:

"Under the harbor regulations the masters of vessels must take a harbor master in moving their ships. For this, a fee of \$2 is charged. While exacting this fee, the department refuses to be responsible for any damage done to the property of private parties while in charge of it. Several weeks ago, in moving the bark Gerard C. Tobey, about \$250 worth of damage was done her. The assistant harbormaster was in charge of her at the time. If the department refuses to be liable for the acts of its servants and compels masters of vessels to move under the direction of a harbormaster should damage ensue then there would be no recourse for the owner of the vessel but to pay the harbormaster's fee and also for any damage he may have done."

"With this ruling in mind who would be responsible for the stranding of a vessel in tow of the tug Eleu? If some day she should happen to pile a ship high and dry on the reef, could the owners of the vessel hope for damages?"

## HONOLULU BLUE BOOK AND WHAT IT PROPOSES

Mention of the fact in several of the papers here, that a number of gentlemen have well under way the compilation of data for the publication of what is to be known as "The Honolulu Blue Book," and the coupling in articles of the name of a New York society gentleman, as one of the promoters, has led to considerable discussion upon the subject, and more or less misapprehension.

In order to speak advisedly in the matter, a Bulletin reporter this morning called upon Mr. Emmett May, one of the gentlemen interested in the work, with a view to ascertaining the facts.

In answer to a question as to the scope and purpose of the proposed publication, Mr. May said:

"As is well known, every city of any pretensions in the States, has what is known as its 'Blue Book' or society directory. Nothing of the kind has ever been attempted here, and four of us, including myself, all residents of Honolulu, are of the opinion that the time is ripe for such a book here, and for some weeks have had the matter quietly under way."

"A considerable portion of the city has already been visited by Mr. Pierce, who has in charge the compilation of the names in the residence districts and he has met with much encouragement from those whom he has seen."

"He has found, however, that in the minds of many there is the mistaken impression, that the book is to include only the names of the ultra-society people. This is not true. It is our purpose to carefully compile the names of the leading reputable and respectable families and individuals of standing in the community, and this to include under proper headings, Hilo and the other islands, as well as Honolulu."

"From the courtesy shown us by the ladies thus far called upon, by the press and the business men with whom we have talked, and the encouragement we have received from all, we feel assured of the success of the venture."

## QUESTION OF REAL ESTATE VALUES

General Opinion is that  
the Upward Course  
Will Last.

J. A. MAGOON HAS  
MADE A CAREFUL STUDY

Promoters of Pacific Heights Says  
Money Supply Has More Influence  
Than Newspaper  
Controversy.

The level of real estate values in Honolulu continues to be a topic of discussion with business men and others interested in the material prosperity of the community.

J. A. Magoon said to a Bulletin reporter this morning: "I am satisfied that real estate values here have not reached their highest point by any means. When I first came to Honolulu to reside permanently I would often hear the remark that people had gone crazy over real estate values, and that prices had reached the point entirely beyond actual values. I have heard this statement made over and over again each year ever since."

Notwithstanding these pessimistic views the prices of real estate have constantly advanced. I believe it is not an exaggeration to say that the price of unimproved real estate has doubled in value every five years for the past fifteen years in Honolulu. When we come to consider the limited area and the needs of Honolulu, it is easy to see that real estate in this city is bound to further increase in value. "My idea is that Honolulu will be one of the very important cities of the world."

C. S. Desky refused to be interviewed on the subject, saying: "It is nonsensical to suppose that the level of real estate values can be fixed or determined by newspaper controversy. The principal reason why real estate does not change hands rapidly at the present time is because of the scarcity of money in Honolulu. As soon as normal conditions return, people will again invest in real property. Under normal conditions, properties recently offered for sale at auction would have moved much more briskly."

Oscar White, with E. O. Hall & Son, who owns a few pieces of real estate but has none for sale, said that he thinks that current real estate prices are based on real values. In the center of the business district values are figured on the earning capacity of the property. As far as outlying tracts are concerned, I think prevailing prices are not far from actual worth. I consider that the increase in values placed on real estate, during the past six or seven years has been normal. It has been in keeping with the growth of the city and the increase in population.

"I do not believe the introduction of rapid transit will cause much of an advance in the prices of suburban property. The choice lots may command advanced figures but in the main, I see no reason to expect a general rise in the value of outside lots in the near future."

Art League "At Home."

This is the night when the Literary Circle of the Kiloana Art League will give an "At Home" in the usual place. A large number of invitations have been issued and a large number of people is confidently expected, as people quite generally have heard what an excellent entertainment is in store.

Honolulu Masquerade Ball.

Costumes and dancers are now ready for the Honolulu masquerade ball evening. Dancing begins promptly at 8 o'clock, the unmasking following at 10:30 o'clock. A large crowd is expected.

THE PAKING HERE.

The big transport Paking arrived last night from San Francisco after a fast passage of 6 1/2 days. Although she did not leave the Golden Gate until the 22d inst., she had no communication with shore after the 20th as she left the wharf on that day for sea but was held in the stream waiting for the weather to moderate. She brought no mail and but few papers.

The Paking is making her first visit to this port. She is a sister ship of the Kintuck which was here a short time ago and is now due from Seattle. On the Paking are 111 army men and 750 horses. The commander of the vessel is Elliston Warral.

The Paking is owned by the China Mutual Steam Navigation Company of

London. She is a new boat 410 feet long, 48 feet beam and 27 feet draught. Her gross tonnage is 4447 and her net tonnage 2875. Her crew consists of 53 of whom 16 are European officers.

Private Contractors Passed.

Owing to the failure of any one to make tenders for the grading of Liliha street, the Road Department will begin the work itself next Monday. Fifty men and a large number of carts and wagons will be detailed for the job. It will be a long and hard piece of work, the cuts and fills at places being as much as ten feet. As soon as the grade is finished, property owners will be asked to put down curbing. The street will then be paved.

## QUEEN ENMA ESTATE

In the estate of Emma Kalekonani, the accounts of Bruce Cartwright, trustee under the will, as reported by Henry Smith, master, were approved this morning by Judge Humphreys. The master's report says: "In this estate, the whole income is devoted, first to certain annuitants named in the will and secondly to the Queen's Hospital and Albert K. Kunikake as residuary legatees." During the past year the Queen's Hospital received \$1335.27 and Kunikake, a like amount. Annuitants paid are as follows: Lucy Peabody, \$900; St. Andrew's School for girls, \$600; Mary Liwal, \$300; Grace Kahonili, \$300. According to the inventory, the assessed value of the real estate owned by the estate of the deceased Queen is \$73,900.

In the estate of J. K. Kahookano, the report of J. A. Thompson, master, was confirmed and the accounts of administrator approved.

In the estate of S. Kalakoli, Enoch Johnson was appointed administrator this morning, under bond of \$500.

The will of Gerardo J. Rocio was today admitted to probate and J. S. Anzevedo appointed executor under bond of \$1000.

In the estate of W. D. Hunt, an inventory of property was filed today by B. A. Hunt, executrix. The estate aggregates in value the sum of \$4550.

P. D. Kellett Jr., guardian of the property of C. Lundahl, an insane person and Bishop & Co., have submitted a case to the Supreme Court without action. It is set out that Lundahl on January 17, 1901, deposited with Bishop & Co., \$1000, for which he was issued a draft on the Bank of California for a like sum, in favor of Augusta Johansen. This draft was retained in the possession of Lundahl and is now in the hands of his guardian. Kellett presented the draft to Bishop & Co. for payment but was refused. Augusta Johansen has given notice to Bishop & Co. to pay the draft to no one but herself.

The questions asked the Supreme Court are: Has P. D. Kellett Jr. the right to recover possession of the money on tendering the draft to Bishop & Co? or has Augusta Johansen the right to possession of the draft and to payment on presenting it to the Bank of California?

The case of the Rapid Transit and the Hawaiian Tramways Company occupied the Supreme Court this morning and will continue at the afternoon session.

Monday, April 1, has been set as the day for taking the deposition of R. H. Fowler, in the case of George W. Macfarlane vs. Robert Canton.

Petition for the appointment of James E. Jaeger as trustee for Julia English, in place of A. Jaeger, deceased, was filed today.

REDUCTION SALE OF STRAW  
HATS AT IWAKAMI'S HOTEL  
STREET.

For Durability,  
Comfort and  
Style...

There is a shoe known  
as the.....

Heywood

wearers of which will take no  
others. Try on a pair and be  
convinced of the truthfulness of  
this statement.

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To-morrow

A pretty, neat and  
attractive

SIX ROOM COTTAGE

JUST OFF WILDER AVENUE ON  
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SIX ROOM COTTAGE

on King St. beyond Waikiki Turn, \$3250.  
Easy payments.

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